G. R. S. IX-5]

Previous references.

1916-17
(Courts)

File No. 313-16

Serial Nos. 145

Later references.
Ch. 198-20 (Notes)
" 244-27 (1-4)

P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 145

Part B for April 1918.

SUBJECT.

Employment of Short-hand writers for taking down Judgment in Sessions Cases.

---

5) To the Registrar Chief Court
No 14033 dt 3-4-1918

States that the reforms in question can wait

W D 88—GPB—50,000—24-7-16

Md Abdur Rahman Khan
17-6-1918

G. R. S. III—1]

1916.-17

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 313-16

FILE HEADING.

Employment- of Short-hand Writers for taking down Judgements in Sessions Cases.

From

No. Dated Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-16

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat. | File No. | of 191

Serial No.

J Mis 1449-16

Extract from the Fort St George Gazette dt 29.Jan.1917 Pt I 150 A and 150 A.D

— In view of the remarks of the High Court in paragraph 28 of the introductory note to the Statistics of Civil Courts of the Presidency for 1915 will the Government be pleased to provide all District Munsifs, or such of them as may be recommended by the District Judges, with shorthand clerks so as to enable them to dictate judgments?

2) The Govt have already sanctioned the employment of shorthand writers for those District Munsifs who have been recommended by District Judges.

—x—

Asst Secy's order on the above

3) The question whether short hand writers are necessary for the Sessions Courts at head-quarters may be raised in a separate file. If the 1st Member approves the Chief Court may be consulted whether one of the Clerks may be [illegible] in each Sessions Court be trained for the work & given an additional [illegible]

Unavailable dt 8

NOTE—Contn. sheet.

Serial No.

for the work Indts Gs. 22/3/17

1) Subd for orders.
22/3/17

2) A copy of the Administration Report may be obtained this month by the Hyderabad agent up.

Es 23/3

Subd

3) Draft submitted
22/3/17

4) Issued 23/3

1. No J 3500 dy 28.3.17. To the Manager Hyderabad Requests to be supplied with a copy of the Statistics of Civil Cts for 1915

2. From the same firm dy 4.4.17 Forwards a copy of the publication required

3) Subd with reference to para 5
6/4/17

The Translator

4) It is highly desirable that Indian Judges at least should be permitted to deliver judgments by dictation in short hand writing, especially now that they have to charge the jury in cases triable with the jury. They must be able to get some of the clerks trained in short hand, or appoint one such person at least in the establishment which has now been

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat.

File No. 313 of 1916

Serial No.

at great additional expenditure. If approved, the chief Court will be consulted in the matter.

10) Submitted for order.

EB 10/4

First Member)

2684/13.4

11) Yes, not at all a case for fees

12/4

12) Draft-

EB 14/4

13) Draft-Subd

& 17(4)(1) Act.

14) Issue

EB 18/4

3 To the Registrar

Ch. Court

No. 3764 28-4-1917

Enquiries as it would not be desirable to empower in suppose at least session Judges to deliver judgments by dictation to short-hand writers.

4 From the Registrar chief Court

No Rose 536/16-17 & 19/21

States that the Judges are of opinion

Rule 1 of Order XX of Sch I in Code of Civil Procedure 1908 has been amended by the Madras High Court in notification No. 45 1915 ...

Please see page 56 of Chandrasekharaya's P. R. (1917).

WD 1233—GPB—60,000—1-12-16—S.

200

G. R. S. III-2]

General and Revenue Secretariat. | Ct File No. 313 of 1916.

Serial No.

that the provision may be made for the dictation judgments not only in the Courts of Session but also in the Civil Courts and that if the suggestions made are accepted, the necessary amendments to the Civil Pro Code will be referred to the Rules Committee, those required in the Cr.P.C. code being effected by legislation

(15) Submit for orders

1000 25/2

(16) The recommendation of the Chief Courts is practically based on the practice prevailing in Madras. This a point for orders whether Sanction may be accorded to the recommendation, suggestion to refer the amendment to the Rules Committee. After the Civil Procedure Code is amended by the Rules Committee, action may be taken to amend the Cr.P.C. Code as suggested by the Chief Courts.

2886 26.2.18

Hy

Hy

First Member

(17) As Shorthand knowledge may be useful in Magistrates courts yet, this reform in my opinion cannot

(18) Perhaps Mr. Reed to look. Sessions etc would be suitable. To authorize for the present

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

209

G. R. S. III-2]

General and Revenue Secretariat. | C5 File No. 313 of 1916.

Serial No.

but my judicial work in inquiries will so keep me busy. this reform can wait —

7.3

19) Subd for orders, with a draft letter Reg, chief. court, accordingly.

6/3

7/3. Ro. The Chief. court submitted their views on the initiation taken by the Govt. ~~Govt~~ we can introduce the reform as soon as men are available, guiding on Select Committee like the D. Judges' courts. Some of the clerks may ~~be~~ already have had training and this may undergo the course in the Local Schools in the evenings. Submitted for orders

6/3

Hon. Member

3071 / 7.3

21/3 Agree we can secure some of the Members' wish that there is less urgency & nothing that will be done [illegible] for some time to come. If the Govt. Members had felt the necessity, they would have moved in the matter themselves ere this.

7/3

22) Subd for orders as to whether the draft will be may issue.

Apr 1913

23) Submitted for orders

(Chief Secretary)

24/3 Issue as

NOTE—Contn. sheet.

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.	File No. 313 of 1916.

Serial No.	
5	To the Registrar of the Court No. 4033 3rd April 1918 States that the reforms in question can wait.

t.

G. R. S. 26]

GEN. & REV. SECRETARIAT. / TYPING Sec. 23 MAR 1917

File No.

Serial No.

Diary No. of letter replied to .....

No. 23500

General and Revenue Secretariat

( )

, *the* 191 .

To

The Manager

Higginbothams Ltd

South Parade - Bangalore

Date of issue 28/3/17

Signed by Mr G. Srinivasa Iyer

Sir

I am directed to request that a copy of the Statistics of the Civil Courts in the Madras Presidency for the year 1915 may kindly be supplied to this office & the cost debited to this office accounts

I have &c

Sd/- 23/3 for Secy.

SUBJECT. Copy to cash section

Mcl 23/3/17

REVD. REC'D.
7 APR 1917

MEMORANDUM.

Jdcial 1558-16

No. _____

To

_____

_____

Bangalore, _____ 19 17.

From

Higginbothams Ltd.,

Printers, Stationers, Booksellers, &c.,

Madras and Bangalore.

Orders Received	Goods Despatched	Credit.	Cash.

GEN. SECRETARIAT
I
JUDICIAL
9 APR 1917

G. R. S. 26]

Ch. File No. 313-16

Serial No. 3

Diary No. of letter replied to .....

No. J 37664

General and Revenue Secretariat

( )

, *the* 191 .

To

The Registrar Ch. Ct.

Sir

Date of issue 28/4/17

Signed by Mr. G. Sivaswamy Iyer

I am directed to state that the employment of short hand writers to take down, to dictation, judgments has relieved judges of the Dt. & Sub ordinate Courts in Madras of a good deal of scriptory work & to have expedited business particularly in cases in which the facts are not complicated & the records not bulky. I am to enquire if it would not be desirable to empower in Ilpra at least Session Judges

over.

SUBJECT.

to deliver judgements by dictation to shorthand writers and if so whether an official on their establishment may be given training in shorthand or a person with the necessary qualifications may be employed.

I have &c

[illegible]

17/4/17

List of enclosures

Copied by

Examined by

GP.B.—20,000—10.10.14

R...S.C. No. 536/1916-17.

22 FEB 1918

8345

Chief Court of Mysore,

Bangalore,

Dated 19th February 1918.

21st

J 2001.

From

N. T. Gopaliengar Esq., B.A., LL.B.,

Registrar of the

Chief Court of Mysore,

To

C. S. Balasundaram Iyer Esq., B.A.,

Chief Secretary to the Government of Mysore,

B a n g a l o r e.

S i r,

Adverting to your letter No.J.3764/Cts. 313-16-3 dated the 28th April 1917 enquiring if it would not be desirable to empower at least the Sessions Judges in the State to deliver judgments by dictation to shorthand writers, I am directed to state that the judicial officers and others in the State have been consulted, and that the Judges of the Chief Court are of opinion that the Codes may be amended so as to give effect to the intentions of the Government, and provision may be made for the dictation of judgments not only in the Courts of Session, but also in the Civil Courts, power being given to the Chief Court to authorize selected Judges of Civil Courts including Munsiffs to dictate their judgments, as is now done in Madras.

As the law stands Sessions and Assistant Sessions Judges can dictate their charges to juries, which of course are necessarily delivered orally: there is nothing in section 371 to require the heads of the charge to be written by the Judge himself. But that applies only to cases triable by Jury and those at present are few.

The Chief Court would not extend the power to Magistrates exercising original jurisdiction at any rate for the present, but they think that Sessions, ~~Asst:~~ Assistant Sessions Judges and District Magistrates hearing appeals may be empowered to dictate judgments: and possibly also selected Sub-Division Magistrates with appellate powers.

If the Government accept these suggestions the Chief Court will refer to the Rules Committee the necessary amendments to the Code of Civil Procedure, and those required in the Code of Criminal Procedure may be effected by legislation.

The former may take the form adopted in Madras, of two amendments to Order XX, as set out in the margin, and the latter may perhaps be made in the manner following:--

O. XX. R. 1 (2). The judgment may be pronounced by dictation to a shorthand writer in open Court where the presiding Judge has been specially empowered on that behalf by the High Court.

O. XX. R. 3. The judgment shall bear the date on which it is pronounced and shall be signed by the Judge and when once signed, shall not afterwards be altered or added to, save as provided by section 152 or on review.

Amend section 309 (2). The Judge shall then give judgment but in doing so shall not be bound to conform to the opinions of the assessors.

The judgment may be written and pronounced as prescribed in Chapter XXVI or may be pronounced by dictation to a shorthand writer in open Court immediately after the termination of the trial, in which case the transcript shall after correction, if necessary, be signed by the Judge and shall bear the date on which the judgment is pronounced.

Amend section 424.- After the first paragraph of that section.

Provided

Provided that the Chief Court may from time to time authorise a Judge or Magistrate empowered to hear appeals, to pronounce judgment by dictation in open Court in the manner prescribed in section 390 (2).

Provided also that, unless the Appellate Court otherwise directs, the accused shall not be brought up, or required to attend, to hear judgment delivered.

I have the honor to be,

S i r,

Your most obedient servant,

REGISTRAR.

Tsk.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....J2001.....

GENERAL AND REVENUE SECRETARIAT,
(Cam5)
, *the* *191* .

Section Cam5
File No. 313-16
Serial No. 5

No. J 4033

Date of issue.....3/4/18.....

To

Signed by.....W. G. Sreenivasa.....

The Regr. Chief Court

Sir

With reference to the correspondence ending with your letter no. R.O.L.C 536/16-1 d. 21.2.18 on the subject of the delivery of judgments by dictation to shorthand writers, I am directed to state that on further consideration Govt are of opinion that the reform in question can wait.

I have &c.

for Chief Secy

over.